United Nations A/64/887

General Assembly

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5 August 2010

Original: English

Sixty-fourth session
Agenda item 23
Question of the Falkland Islands (Malvinas)

Letter dated 2 August 2010 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

In accordance with instructions received from the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honour to refer to the letter dated 11 June 2010 from the Permanent Representative of Argentina addressed to you, transmitting in an annex a copy of a press release issued by the Argentine Republic on 10 June 2010.

The Government of the United Kingdom has no doubt about its sovereignty over the Falkland Islands and South Georgia and the South Sandwich Islands, and their surrounding maritime areas.

The principle of self-determination, enshrined in the Charter of the United Nations, underlies our position on the sovereignty of the Falkland Islands. There can be no negotiation on the sovereignty of the Falkland Islands unless and until such time as the Falkland Islanders so wish. They have made clear that they wish to remain British.

The Government of the United Kingdom would, however, like to correct some factual inaccuracies in the press release from the Government of Argentina. It claims the establishment by decree on 10 June 1829 of an Argentine Political and Military Command for the Falkland Islands and the creation of an appropriate institutional framework for the subsequent colonization undertaken by Luis Vernet. However, the Government of the United Kingdom protested against the 10 June 1829 Argentine Decree on 19 November 1829. In addition, Luis Vernet had applied for and been granted a Falkland Islands land grant at the British Consulate in Buenos Aires on 30 January 1828.

The Government of the United Kingdom is clear that none of the civilians living on the Falkland Islands were expelled from the Falkland Islands on 3 January 1833. Some chose to leave, but the majority remained. Historical evidence supports this. The only individuals who were expelled were the members of the Argentine

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military garrison who had been sent to the islands three months earlier to impose Argentine sovereignty on the civilian population.

The Government of Argentina has not continuously protested against United Kingdom sovereignty over the Falkland Islands since 1833. In 1850 the United Kingdom and Argentina signed the Convention of Settlement, which settled "the existing differences" between Argentina and the United Kingdom and a "perfect friendship" was restored. Argentina made no formal diplomatic protests over the Falkland Islands for 38 years after the 1850 Convention of Settlement. In the 90 years between 1850 and 1940 Argentina only made one formal diplomatic protest over the sovereignty of the Falkland Islands: that made by the Argentine Foreign Minister, Norberto Quirno Costa, in 1888.

The Government of the United Kingdom has encouraged the Government of the Falkland Islands to develop its own economy and future. It is the wish of the Falkland Islands Government to proceed with its policy of hydrocarbons exploration in Falkland Islands waters and it is part of the legitimate business of that Government carried out in accordance with local and international law, and is compatible with relevant General Assembly resolutions.

The Government of the United Kingdom remains open to discussions with the Government of Argentina on a whole range of issues relating to cooperation in the South Atlantic. Last year the Governments of the United Kingdom, Argentina and the Falkland Islands worked to organize two visits of the next of kin of the Argentine fallen. The visits to the Falkland Islands were very successful and were an example of good cooperation.

I should be grateful if you would circulate the present letter as a document of the General Assembly under agenda item 23.

(*Signed*) Philip **Parham**
Chargé d'affaires

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General Assembly
Security Council

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6 August 2010
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General Assembly
Sixty-fourth session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-fifth year

Identical letters dated 3 August 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit herewith a complaint against Israeli enemy forces. Today, Tuesday, 3 August 2010, those forces attacked Lebanon, resulting in the martyrdom and injury of a number of Lebanese army personnel and two Lebanese civilians, in addition to the martyrdom of a Lebanese journalist (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

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Annex to the identical letters dated 3 August 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

At precisely 0745 hours today, Tuesday, 3 August 2010, the commander of the Lebanese Army liaison unit received a communication from the liaison unit of the United Nations Interim Force in Lebanon (UNIFIL) to the effect that the enemy Israeli army intended to cross the technical fence in the area of Udaysah at 0800 hours, local time, in order to cut down a tree. On examining the matter, the Lebanese Army became aware that demarcation of the area involved was disputed by Lebanon. The UNIFIL liaison unit officer conveyed that information to the Israeli side, stating that it was not entitled to take any action without prior coordination with the international and Lebanese sides. The Lebanese Army informed UNIFIL that the latter could, if necessary, perform the required task in place of the Israeli Army. The Israeli side persisted in its intention to cross the technical fence and cut down the tree. It did so in the knowledge that the Lebanese side had informed UNIFIL of its rejection of that move. The Lebanese Army and the enemy Israeli Army then entered a state of high alert on either side of the border. UNIFIL forces were also present. At 1145 hours, the Israeli Army brought in a hoist manned by one soldier in order to cut down the tree, prompting Lebanese Army personnel to fire warning shots into the air. The Israeli side responded with targeted fire towards the Lebanese Army, leading to an exchange of fire between the two sides. At 1245 hours precisely, the Israeli Army bombarded Lebanese Army positions at Nabi Uwaydah hill, Udaysah and Mashru' al-Tayyibah. Lebanese Army units responded with light and medium weapon fire. The Israeli bombardment resulted in the martyrdom of two Lebanese corporals and one civilian. Eleven staff members sustained various injuries. One civilian was injured and three personnel carriers caught fire. It was decided at around 1500 hours that both sides would cease fire. The Lebanese side complied at once. However, the Israeli side delayed for some time, and continued to bombard Lebanese positions before agreeing to hold its fire as a result of UNIFIL efforts.

This Israeli aggression constitutes a flagrant contravention of Lebanese sovereignty, Security Council resolution 1701 (2006), international law and the Charter of the United Nations. It affirms yet again Israel's disdain for international resolutions, its determination to pursue its aggressive and provocative policy, and the threat which it persistently poses to international peace and security. Lebanon insists that the Security Council must fulfil its duties by taking the appropriate measures to ensure that Israel refrains from violating Lebanese sovereignty and ends its policy of aggression towards Lebanese territory and citizens. Israel must be held accountable before the international community.

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Security Council

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General Assembly
Sixty-fourth session
Agenda items 14 and 18

Security Council
Sixty-fifth year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Letter dated 6 August 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General

The Government of Azerbaijan has repeatedly stated that there is a convincing body of evidence attesting to the military aggression of Armenia against Azerbaijan. Facts illustrate that Armenia bears the primary responsibility for unleashing war against Azerbaijan, occupying its territories, committing the most serious international crimes during the conflict, carrying out ethnic cleansing and creating a monoethnic culture in the captured Azerbaijani territories. Further, Armenia has sustained the existence of an illegally created subordinate separatist entity within the internationally recognized territory of Azerbaijan, by a variety of means, including the maintenance of military forces in the Nagorno-Karabakh region and other occupied areas of Azerbaijan.

According to the Ministry of Defence of Armenia and this country's mass media reports, on 28 July 2010 an incident involving the use of firearms and resulting in casualties took place in one of the military units of the armed forces of Armenia deployed in the occupied Khojavand district of Azerbaijan. It has been reported that a senior lieutenant (Vardges Tatevosyan from Yerevan, Armenia) and five conscripts (Garegin Hovsepyan from Etchmiatzin, Armenia, Andranik Sargsyan from Yerevan, Armenia, Robert Hovhannisyan from Vanadzor, Armenia, Artyom Minasyan from Charentsavan, Armenia, and Karo Ayvazyan from Yerevan, Armenia), all citizens and residents of Armenia who were sent to serve in the occupied territories of Azerbaijan as part of their military service, were killed as a result of violence and exchange of fire between Armenian militaries.

This is not the only example of arbitrariness predominating in the armed forces of Armenia. Thus, according to Armenian mass media reports, on 16 July 2010 another conscript from Armenia, 22-year-old Arman Avakyan, was killed by his

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officer in one of the military units of the armed forces of Armenia deployed in the occupied territories of Azerbaijan.

The above incidents, along with many others of the same nature, demonstrate clearly that, despite attempts of official Yerevan to disguise the direct involvement of the armed forces of Armenia in the military hostilities against Azerbaijan and the presence of these forces within the latter's occupied areas, Armenia exercises in practice effective military control of these territories.

It is essential to recall, in this regard, that the illegality of these actions has been repeatedly stated at the international level in the most unambiguous manner.

The Security Council has consistently reaffirmed both the sovereignty and territorial integrity of Azerbaijan and the inadmissibility of the use of force for the acquisition of territory. It has also called on a number of occasions for immediate, full and unconditional withdrawal of the occupying forces from all the occupied territories of Azerbaijan.

A similar position has been adopted by the United Nations General Assembly in its resolution 62/243 of 14 March 2008, entitled "The situation in the occupied territories of Azerbaijan". Resolution 1416 (2005), adopted on 25 January 2005 by the Parliamentary Assembly of the Council of Europe, noted particularly that "[c]onsiderable parts of the territory of Azerbaijan are still occupied by Armenian forces" and reiterated that "the occupation of foreign territory by a member state constitutes a grave violation of that state's obligations as a member of the Council of Europe".

The European Parliament, in its resolution of 20 May 2010 entitled "The need for an EU strategy for the South Caucasus", inter alia, reaffirmed the sovereignty and territorial integrity of the countries of the region and demanded the withdrawal of Armenian forces from all occupied territories of Azerbaijan.

Consequently, it has been internationally recognized that Azerbaijani territories are under occupation and that Armenia has been actively involved in the creation and maintenance of that situation. The occupation by force of these territories constitutes a flagrant breach by Armenia of the relevant international legal principles and entails this State's international responsibility, which, inter alia, includes the obligation to cease illegal acts and to offer appropriate assurances and guarantees that they will not recur.

Against the background of complete collapse of its annexationist policy and obvious demoralization of its armed forces, striking illustrations of which are the aforementioned recent bloody incidents, Armenia must finally realize that, for its own good and for the purposes of lasting peace and stability, there is no alternative other than putting a prompt end to its illegal occupation of Azerbaijani territories, renouncing its territorial claims and establishing good-neighbourly relations with all regional countries.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 14 and 18 of its sixty-fourth session, and of the Security Council.

(*Signed*) Tofig **Musayev**
Chargé d'affaires a.i.